

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39064 of 2014

Arising Out of PS.Case No. -23 Year- 2014 Thana -MAHILA P.S. District- SIWAN

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1. Ram Narayan Ram @ Ram Narain Ram S/o Tufani Ram R/o vil. -
Nepura, P.S. Darauli, Distt. - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Rajmati Devi, wife of Ram Narayan Ram, resident of village Akolhi,
P.S.-Jiradei, District- Siwan, permanent resident of village of Nepura,
P.S.- Darauli, District- Siwan.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 13-04-2015 The petitioner figured as accused in Siwan

Sadar Mahila P.S. Case No.23/2014, registered on the

basis of a complaint submitted by the wife of the

petitioner alleging offences including one punishable

under Section-498A of I.P.C. Apprehending arrest, the

petitioner filed A.B.A. No.746/2014 in the court of

learned Sessions Judge, Siwan. The learned Judge

rejected the application through order dated 14.8.2014.

Hence, this application for grant of anticipatory bail

under Section-438 of Cr.P.C.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Whether one goes by the nature of allegations or

the law laid down by the Supreme Court in the recent past, the arrest of a person who figured as accused in a case wherein offences punishable under Section-498A of I.P.C. is alleged, is not at all warranted.

Therefore, the application is allowed.

In the event of arrest, the petitioner is directed to be released on bail upon furnishing the bail-bond of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of C.J.M., Siwan in connection with Siwan Sadar Mahila P.S. Case No.23/2014, arising out of Complaint Case No.82/2014, subject to the conditions that:-

(a) if any arrangement has been ordered by this Court on earlier occasion, it shall be in force till the disposal of the case before the trial court;

(b) the petitioner shall be under obligation to live with and maintain his wife, if she is otherwise willing; and

(c) disposal of this application shall be without prejudice to the proceedings for mediation, if any.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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